

**RESPONSE UNDER 37 CFR § 1.116**  
**EXPEDITED PROCEDURE**  
**EXAMINING GROUP 2121**

**REMARKS/ARGUMENTS**

In the Final Office Action, the Examiner has maintained the rejection of pending claims 7 – 21 as allegedly unpatentable under 35 U.S.C. § 103(a) over Duncan in view of Guessasma. However, for at least the reasons set forth below, Applicants disagree and respectfully request that the rejection be withdrawn.

In the Final Office Action, the Examiner has mischaracterized the Applicants' argument from the previous response. Applicants' argument is **not** based on there being a distinction between "target values" and "ideal values," as suggested on page 2 of the Final Office Action. Rather, the Applicants' argument is that Duncan is deficient in that it does not compare "actual values" to "target values."

Even assuming the recited "target values" can be somehow interpreted as being within the scope of Duncan's 'ideal values,' as suggested by the Examiner, Duncan is still deficient since it still does not disclose comparing any "actual values" to those so-called 'ideal values.' What, in fact, Duncan discloses is controlling a deposition process according to a derived scan path plan predicted to minimize/reduce deviation from an ideal uniform parameter profile. Col. 3, lines 62-67. In Duncan, the control means controls the deposition of material "according to a derived path plan predicted to minimise/reduce deviation from an ideal uniform temperature profile during the deposition process." Col. 2, lines 8-12. (*emphasis added*). In other words, Duncan predicts values based on ideal values, which is of course fundamentally different than comparing values, and even further afield from comparing "actual values" to target values. In short, it is irrelevant to the Applicants' position as to whether or not the recited "target values" can be equated with Duncan's 'ideal values.' Applicants further note that Guessasma does not cure this deficiency as it also predicts property-parameter evolutions.

The Final Office Action further surmises that "however target values are obtained for a controlled process, these are the values for which the process parameters are controlled against the actual measurements." Final Office Action, Docket No: 011235.58178US

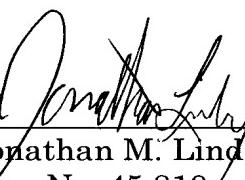
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pages 2 – 3. Even assuming that “controlling against the actual measurements” were the same as the claimed ‘comparing’ of “actual values” to “target values,” that position is simply not supported by Duncan’s actual disclosure. The Final Office Action does not identify any portion of Duncan which supports the position that Duncan’s ‘ideal values’ are somehow compared against actual measurements, nor can the Applicants find any. In fact, with only one unrelated exception under the “Experimental Results” section relating to the different experiments that were performed, Duncan’s entire disclosure fails to even use the word ‘**compare**’ or any derivation thereof. Similarly, not even the term “actual” can be found in Duncan’s disclosure. This of course is to be expected since the concept of comparing actual values to target/ideal values is simply foreign to Duncan.

In conclusion, Applicants respectfully submit that the application is now in condition for allowance for at least the above reasons. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned. As provided for above, this paper includes a Petition for Extension of Time sufficient to effect a timely response. Please charge any deficiency in fees, or credit any overpayment of fees, to Deposit Account No. 05-1323 (Docket 011235.58178US).

Respectfully submitted,

CROWELL & MORING LLP

Dated: November 14, 2011 By   
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Jonathan M. Lindsay  
Reg. No. 45,810  
Tel.: (949) 263-8400 (Pacific Coast)

Intellectual Property Group  
P.O. Box 14300  
Washington, D.C. 20044-4300